

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JEROME JURDINE, an infant under the age
of 18 years, by his father and natural guardian,
DUKE JURDINE,

NOT FOR PUBLICATION
ORDER

Plaintiff,

07-CV-2915(CBA)(JO)

-against-

THE CITY OF NEW YORK, POLICE OFFICER
JOSEPH SEMINARA (Shield # 29512), POLICE
OFFICER ZEHID MEHMOOD (Shield # 8879)
and POLICE OFFICERS JOHN DOE 1-2,

Defendants.

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AMON, United States District Judge:

Plaintiff Duke Jurdine, acting as the legal guardian of his infant son, Jerone Jurdine, brought this lawsuit against the City of New York as well as police officers Joseph Seminara and Zehid Mehmood, alleging that Jerone Jurdine's civil rights were violated when he was arrested and detained for several hours without probable cause. During discovery, the parties reached an agreement to settle principally for the sum of \$10,000, inclusive of costs and attorney's fees. Soon thereafter, an infant compromise hearing was conducted before Magistrate Judge James Orenstein, who subsequently issued a report and recommendation ("R&R") on March 12, 2008. The R&R recommends that the settlement agreement be approved.

Specifically, Magistrate Judge Orenstein recommends that the Court agree to the following terms to which the parties have agreed: a payment by the defendants of a total of \$10,000 in satisfaction of all of the plaintiff's pending claims, with \$70 in costs and \$3,310 in fees to be paid out of that amount to the plaintiff's attorney, and the remaining balance of \$6,620

to be deposited in an interest-bearing account at Chase Manhattan Bank, located at 20 Flatbush Avenue, Brooklyn, New York in the name of Duke Jurdine for the sole use and benefit of his son Jerone Jurdine until Jerone reaches the age of eighteen years; provided that the funds in the account may be used to pay for necessary medical expenses upon order of the Court, and further provided that the bank shall without further court order pay over to Jerone Jurdine all monies held in that account when he reaches the age of eighteen years. Magistrate Judge Orenstein also recommends that the Court retain jurisdiction of this action for the purposes of enforcing this infant compromise order and the underlying settlement agreement, entering this infant compromise order directing the disposition of funds, and hearing and determining applications for the release of funds under this infant compromise order.

The parties had until March 31, 2008 to file written objections to Magistrate Judge Orenstein's R&R. See Fed. R. Civ. P. 72(b)(2). Neither party has objected. The Court agrees the proposed settlement is fair, reasonable, and in the best interests of the infant. Accordingly, the Court adopts Magistrate Judge Orenstein's R&R, and will sign and separately file the parties' proposed infant compromise order. The Court hereby retains jurisdiction of this action for the purposes articulated above. The Clerk of the Court is directed to close this case.

SO ORDERED
Dated: Brooklyn, New York
April 8, 2008

Carol Bagley Amon
United States District Judge